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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Shiang-Yau Liang

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06/18/2004

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EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/825,849

Applicant(s)

LIANG ET AL.

Examiner

Houshang Safaipoor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

The disclosure is objected to because some of the sentences used throughout the specification are not in proper English. For example:

Pages 2 and 6 the word “concludes” has been used instead of “includes”.

Page 4, line 6 of “Summary of Invention” reads... in order to responded any sort...

Page 4, line 10 of “Summary of Invention” reads... also loaded into the system, while situation happens, all sorts of accident will be handled.

Page 4, line 15 of “Summary of Invention” reads... The set up parameter of control table also will be recycled until end scan process ended.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Gatto et al. (U.S. Patent No. 6,344,906).

Regarding claim 1, Gatto et al. discloses a method for controlling scanner, wherein said method controlling a scan process thereby said method listing all scan conditions and listing all responded control parameters of said scan conditions as parameter table so that said parameter table loading inside said scanner for scan calling herein (abstract and col. 2, lines 26-31).

Regarding claim 2, Gatto et al. discloses the method according to claim 1, wherein said control parameter comprises:

setting color; driving a motor; and checking a register (col. 11 line 31 through col. 12 line 65 and col. 13, line 40 through col. 14 line 36).

Regarding claim 3, Gatto et al. discloses the method according to claim 2, wherein said setting color comprises:

setting said scanner as not sensitizing; setting said scanner as reading red-light data; setting said scanner as reading green-light data; and setting said scanner as reading blue-light data (col. 11, line 31 through col. 12, line 36).

Regarding claim 4, Gatto et al. discloses the method according to claim 1, wherein said control parameter comprises:

a control setup for increasing motor-speed; an uniform motor speed in scan process; and a control setup for reducing motor-speed (col. 13, line 41 through col. 14, line 28).

Regarding claim 5, Gatto et al. discloses an operation method for controlling scanner, wherein said method comprises:

pre-reserving a memory space inside scanner; setting scan parameter;

loading control data; and starting scan (col. 9, line 27-50, abstract and col. 14, line 49 through col. 15 line 27).

Regarding claim 6, Gatto et al. discloses the method according to claim 5, wherein said operation method comprises two groups of register that providing a reserved memory space inside said scanner (col. 9, line 27-50).

Regarding claim 7, Gatto et al. discloses the method according to claim 5, wherein said setting scan parameter comprises a resolution parameter; an exposure parameter; and an original position, a starting position and an ending position (col. 17, line 43 through col. 18 line 18).

Regarding claims 8-10 arguments analogous to those presented for claims 2-4 are applicable to claims 8-10 respectively.

Regarding claim 11, Gatto et al. discloses the method for scanner operation, said scanner comprising a loading system having a optical scanner therefrom said method comprises: setting scan parameter, therein said parameter comprising: an original position; a scan position; and an ending position; loading a first control table having color setting and driving motor and checking register; loading a second control table having a setup for increasing motor-speed and for an uniform motor speed in scan process and for reducing motor-speed. calling said first control table and said second table so that loading system moving; calling said first control table and said second table so that said optical sensor and said loading system moving in uniform-speed from said original position to said ending position; calling said first control table and said second table so that said loading system returning back to said original position and completing a scan operation process (col. 13, line 40 through col. 16, line 2).

Regarding claims 12-14 arguments analogous to those presented for claims 2-4 are

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applicable to claims 12-14 respectively.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (703)306-4037.

The examiner can normally be reached on Mon.-Thurs. From 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor
Patent Examiner
Art Unit 2622
June 4, 2004


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